

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**IN RE APPLICATION OF:
PROTSENKO ET.AL.**

SERIAL NO. : 10/762,639

FILED: JAN. 22, 2004

**FOR: Method and apparatus for
the control and monitoring of
shape change in tissue**

Examiner: P. Vrettakos

Group Art Unit: 3739

Notice of Appeal

and Request for Extension of Time

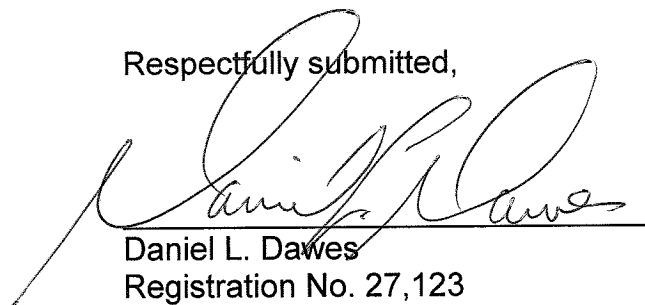
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the final Office Action mailed Feb. 20, 2007, please grant an extension of time of one month to respond, namely to June 20, 2007. The extension fee has been paid electronically.

Applicant appeals the final rejection of claims 35 – 40, 46, 47, and 49 – 56.

Respectfully submitted,



Daniel L. Dawes
Registration No. 27,123
Myers Dawes Andras & Sherman LLP
19900 MacArthur Blvd., 11th Floor
Irvine, CA 92612
(949) 223-9600